

chloride 61 grs. Castor Oil each q. s. 1 fl. oz. * * * The National Drug Co. Philadelphia, U. S. A."

The article was alleged to be misbranded in that the statement, "Carbon Tetrachloride 61 grs. * * * each q.s. 1 fld. oz.", borne on the bottle label, was false and misleading since it represented that each fluid ounce of the article contained 61 grains of carbon tetrachloride; whereas each fluid ounce contained more than 61 grains, namely, not less than 109.5 grains of carbon tetrachloride.

On January 15, 1937, a plea of nolo contendere having been entered, the defendant was adjudged guilty and fined \$50 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

26823. Adulteration and misbranding of gauze pads. U. S. v. 600 Boxes of Gauze Pads. Default decree of condemnation and destruction. (F. & D. no. 38709. Sample nos. 17433-C, 17434-C.)

The gauze pads in this interstate shipment were labeled with a false and misleading representation that they were sterile; and with a false and misleading misrepresentation as to the identity and address of the manufacturer of the article.

On November 25, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 600 boxes of gauze pads at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 26, 1936, by the Handy Pad Supply Co., from Worcester, Mass., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Examination of the pads showed that they were not sterile, but were contaminated with both aerobic and anaerobic bacteria.

The article was alleged to be adulterated in that its purity fell below the professed standard under which it was sold, namely, "Sterilized."

Said article was alleged to be misbranded in that the statement "Sterilized", borne on the label, was false and misleading when applied to an article that was not sterile but was contaminated with both aerobic and anaerobic bacteria. Said article was alleged to be misbranded further in that the statement, "Guarantee Truss Co., 641 Amsterdam Ave., 3-5 E. 116th & 449 E. 149th Sts., New York, N. Y.", borne on the boxes, was false and misleading in that the name and address stated were not the name and address of the manufacturer of the article.

On December 5, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26824. Misbranding of Gay. U. S. v. 120 Packages and 99 Packages of Gay. Default decrees of condemnation and destruction. (F. & D. nos. 38732, 38747. Sample nos. 15369-C, 27964-C.)

The quantity or proportion of acetophenetidin, a derivative of acetanilid, contained in this article was not declared on the label; the package contained a statement that it contained no harmful drugs and that it could be used with utmost confidence, when it did contain a drug that might be harmful and could not be taken with the utmost confidence in the dose recommended; and the package and label bore and contained false and fraudulent representations regarding its curative or therapeutic effects.

On December 1 and 4, 1936, the United States attorneys for the District of New Jersey and the District of Delaware, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 120 packages of Gay at Trenton, N. J., and 99 packages at Wilmington, Del., alleging that the article had been shipped in interstate commerce on or about October 3, 1936, by the F. H. Fowles Co., from Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the article consisted of tablets containing acetylsalicylic acid (approximately 2.15 grains), acetophenetidin (approximately 1.73 grains), caffeine (0.25 grain), and plant material including viburnum.

The article was alleged to be misbranded in that the package failed to bear on the label a statement of the quantity or proportion of acetophenetidin, a derivative of acetanilid, contained therein; in that the statement in a leaflet contained in the package, "Gay contains no harmful drugs or narcotics—is not habit forming—may be used with utmost confidence. Dose: One or two tablets taken in water. Repeat in one hour if necessary", was false and misleading